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October 6, 2014

10/7/2014

VIA ECF

The Honorable Denise L. Cote
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1610
New York, NY 10007-1312

MEMO ENDORSED

Re: FHFA v. Nomura Holding Am. Inc., No. 11 Civ. 6201 (DLC)

Dear Judge Cote:

We write on behalf of the Plaintiff Federal Housing Finance Agency (“FHFA”) regarding proposed redactions to FHFA’s Motion *In Limine* No. 1 (the “Motion”) and supporting materials, which is being filed concurrently with this letter in the above-captioned Action. Because the parties have designated some of the documents filed as exhibits in support of the Motion as “Confidential” or “Highly Confidential,” under the First Amended Protective Order, and because certain parts of the Motion may contain Non-Party Borrower Information (as defined in paragraph 2.8 of the First Amended Protective Order), FHFA is filing these documents with the Court under seal, pursuant to paragraph 9 of the First Amended Protective Order.

FHFA intends to propose redactions to certain of the materials filed in support of the Motion, and also wishes to give Defendants an opportunity to propose any redactions they think are necessary. To facilitate that process, FHFA respectfully requests that the parties be given until Friday, October 10, 2014, to meet and confer regarding proposed redactions, and that the parties file a joint submission to the Court on Friday, October 17, 2014, listing the proposed redactions to which neither party objects and those to which a party objects. Defendants consent to this proposed schedule.

Thank you for Your Honor’s consideration of this submission.

Respectfully submitted,

/s/ Philippe Z. Selendy
Philippe Z. Selendy

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SULLIVAN, LLP

*Attorneys for Plaintiff Federal Housing
Finance Agency*

Granted.
Denise Cote
10/7/14

CC: Counsel of record (via ECF)